

RESOLUTON NO. 74939

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DESIGNATING, PURSUANT TO THE PROVISIONS OF CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSE MUNICIPAL CODE, THE GUADALUPE/WASHINGTON CONSERVATION AREA, GENERALLY BOUNDED ON THE NORTH BY INTERSTATE 280, ON THE EAST BY THE REAR PROPERTY LINES OF THE COMMERCIAL PROPERTIES ON THE WEST SIDE OF SOUTH FIRST STREET, ON THE WEST BY THE GUADALUPE RIVER, AND ON THE SOUTH BY PORTIONS OF WILLOW STREET AND THE REAR PROPERTY LINES OF PROPERTIES ON THE NORTH SIDE OF WILLOW STREET, AS A CONSERVATION AREA WITH A DISTINCTIVE CHARACTER CONVEYING (1) A SENSE OF COHESIVENESS THROUGH ITS ARCHITECTURE, URBAN DESIGN, SETTING, MATERIALS, OR GEOGRAPHY; AND (2) HISTORY

WHEREAS, Chapter 13.48 of Title 13 of the San Jose Municipal Code provides for the designation of a geographically definable area of urban or rural character with a distinctive character conveying (1) a sense of cohesiveness through its architecture, urban design, setting, materials, or geography; and (2) history; and

WHEREAS, said Chapter 13.48 of Title 13 provides that any such geographically defined area that meets the definition set forth in Section 13.48.610 and the criteria of Section 13.48.620 may be nominated for designation as a Conservation Area by the City Council, the Planning Commission, the Historic Landmarks Commission, or by application of persons who own at least fifty-one percent of the parcels of land proposed to be included in the Conservation Area or the authorized agents of those property owners; and

WHEREAS, the City Council, upon nomination by the same, adopted Resolution No. 74842 on March 24, 2009, initiating proceedings pursuant to said Chapter 13.48 of Title 13 for consideration of such Conservation Area designation; and

WHEREAS, said Chapter 13.48 of Title 13 provides that before this Council may designate any area as a Conservation Area, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Council shall refer said proposed designation to the Historic Landmarks Commission of the City of San Jose for its consideration at a public hearing and for its report and recommendation to the Planning Commission; and to the Planning Commission for its consideration at a public hearing and for its report and recommendation to the City Council; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Historic Landmarks Commission did on May 6, 2009, at the hour of 6:00 p.m., conduct a public hearing on said Conservation Area designation and recommend approval of the designation of the Guadalupe/Washington Conservation Area described hereinafter in Section 1 of this Resolution, as a Conservation Area with a distinctive sense of character conveying: (1) a sense of cohesiveness through its architecture, urban design, setting, materials, or geography; and (2) history, and made certain findings with respect thereto; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Planning Commission did on May 13, 2009, at the hour of 6:30 p.m., conduct a public hearing on said Conservation Area designation and recommend approval of the designation of the Guadalupe/Washington Conservation Area described hereinafter in Section 1 of this Resolution, as a Conservation Area with a distinctive sense of character conveying: (1) a sense of cohesiveness through its architecture, urban

design, setting, materials or geography; and (2) history, and made certain findings with respect thereto; and

WHEREAS, a copy of the City of San Jose Historic Nomination Form No. CA09-001 upon which such recommendation was made is on file in the Office of the City Clerk of the City of San Jose; and

WHEREAS, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Council did give notice that on June 2, 2009 at the hour of 7:00 p.m., of said day, or as soon thereafter as said matter could be heard, this Council would, in the City Hall of the City of San Jose, 801 North First Street, San Jose, California, hold a public hearing on said Conservation Area designation at which hearing any and all persons interested in said proposed designation could appear and avail themselves of an opportunity to be heard and to present their views with respect to said proposed designation; and

WHEREAS, at the aforesaid time and place set for hearing, or to which the hearing was continued, this Council duly met, convened, and gave all persons full opportunity to be heard to present their views with respect to said proposed Conservation Area designation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

SECTION 1. In accordance with the provisions of Chapter 13.48 of Title 13 of the San Jose Municipal Code, this Council does hereby designate the hereinafter described Guadalupe/Washington Conservation Area as a Conservation Area with a

distinctive character conveying: (1) a sense of cohesiveness through its architecture, urban design, setting, materials or geography; and (2) history.

Said Guadalupe/Washington Conservation Area is that area of San Jose consisting of approximately 84 gross acres and which is generally bounded on the north by Interstate 280, on the east by the rear property lines of the commercial properties on the west side of South First Street, on the west by the Guadalupe River, and on the south by portions of Willow Street and the rear property lines of properties on the north side of Willow Street. Said location is more fully described on Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. Said designation is based upon the following findings:

- A. The neighborhood meets the criteria for listing as a Conservation Area having the integrity and visual sense of a historic place. Although there are many properties within the proposed Conservation Area that do not contribute to the historic fabric of the neighborhood, the Conservation Area as a whole possesses integrity of location, design, setting, materials, workmanship, feeling and association.
- B. The Guadalupe/Washington historic residential neighborhood derives its importance from being an intact representation of urban development with identifiable attributes embodied by its single-family residential architecture, pattern of development and continued residential setting.
- C. The proposed Conservation Area's streetscapes of primarily late nineteenth century and early twentieth century National, Queen Anne, Neoclassical, Craftsman, and Minimal Traditional cottages, and the area's similarity of scale and setbacks that, along with mature landscaping, provide a cohesive setting for the houses, and the relatively consistent use of exterior finishes, convey a clear historical association with the development of the neighborhood. This area has a sense of historical continuity within the public consciousness.
- D. The neighborhood also is important for:

- its representation of a comprehensive pattern of historic development within the south portions of the Downtown frame area;
- its association with residential development during the period 1869-1958; and
- its embodiment, within the boundaries of the neighborhood, of architectural styles that represent the breadth of design of the period.

SECTION 3. The City Clerk is hereby directed to notify those persons designated in San Jose Municipal Code, Section 13.48.630, Subsection D, in the manner specified by said Section of the adoption of this resolution and to direct the recordation of a Notice of Granting of this resolution in the Office of the Recorder of the County of Santa Clara.

ADOPTED this 2nd day of June, 2009 by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, LICCARDO,
OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CHIRCO, KALRA, NGUYEN.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk